

## **REMARKS**

Applicants thank the Examiner for the careful review of the present application and acknowledge the allowance of claims 10-15. Applicants amend claims 1, 16 and 17. The amendments introduce no new matter and further, are fully supported by the specification. Accordingly, Applicants respectfully request examination of claims 1-9 and 16-20.

### **Claim Rejections Under 35 U.S.C. § 112**

The Examiner rejected claims 17-18 under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants amend claim 17 to improve the readability of the claim. Further, because claim 17 depends from claim 16, claim 18, which depends from claim 17, has proper antecedent support. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 112 rejection.

### **Claim Rejections Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 1-9 and 16-20 under 35 U.S.C. § 103(a) as being unpatentable over Pant et al. (U.S. Patent No. 5,916,012). Applicants respectfully traverse.

Applicants amend independent claims 1 and 16 to improve the readability of the claims. Specifically, the amendments introduce no new matter and are fully supported by the specification (page 14, lines 13-22).

In the Office Action, the Examiner stated “[t]o use the device of Pant et al in combination with prior art wafers of smaller size would have been at most an obvious matter of design choice (page 3, lines 1-2).” Then the Examiner directed Applicants to review the reference at column 5, lines 4-6. Specifically, in reference to Figures 3

and 4, Pant et al. discloses, “if the wafer is 200 mm in diameter, than [sic] circular section 30 will at least be at least 200 mm in diameter so that it can fully oppose the wafer 11.” Pant et al. further discloses a plurality of holes in the center section 30 and that “[t]he *actual size of the center section 30 corresponds to the size of the wafer*” (col. 5, lines 2-4).” Finally, Pant et al. discloses “[w]ithin this center section 30, a series of openings 31 are formed, *arranged in parallel rows 32* (col. 5, lines 7-8).” Thus, the teachings of Pant et al. are to produce a fluid platen with a circular center having a plurality of parallel holes such that the *circular center is the same size as the wafer*.


10 In contrast, Applicants claim “an outer set of pressure sub regions having a second plurality of radial rows capable of providing pressure to the polishing pad disposed above the platen, each outer pressure sub region being disposed below the wafer and outside the circumference of the wafer, the outer set of pressure sub regions being further capable of shaping the polishing pad to achieve a particular removal rate.” Thus, Applicant’s independent claims 1 and 16 recite an outer region with a plurality of radial rows of holes that are outside the wafer diameter.

Because Pant et al. discloses a platen *without an outer region such that a wafer fits within a center region 30* having a plurality of holes, one of ordinary skill in the art would not be motivated by Pant et al. to use smaller wafers in the center region 30. Accordingly, Applicants respectfully request the withdrawal of the 35 U.S.C. § 103(a) rejection of the independent claims and the dependent claims that depend from the independent claims.

Further, Applicants respectfully submit that the pending claims are in condition for allowance. If the Examiner has any questions concerning the response, the Examiner is kindly requested to contact the undersigned at (408) 749-6900. If any other fees are due in connection with filing this amendment, the Commissioner is also  
5 authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P238.CIP).

Respectfully submitted,  
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